

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WATSON NEWMAN,

Plaintiff,

v.

CORNER INVESTMENT COMPANY,
LLC, et al.,

Defendants.

2:10-CV-550 JCM (GWF)

ORDER

Presently before the court are defendant International Union of Operating Engineers Local No. 501, AFL-CIO's ("the union") motion for reconsideration (doc. #86) and defendant Corner Investment Company, LLC's ("Corner") motion for reconsideration (doc. #87). Plaintiff Watson Newman filed an opposition. (Doc. #89). Defendants then filed replies. (Docs. #92 and #93). Also before the court is Corner's motion for leave to supplement joint exhibits in support of summary judgment. (Doc. #88).

On December 9, 2011, the court denied the union's motion for summary judgment without prejudice. (Doc. #83). The union's motion and reply briefs suffered from numerous CM/ECF filing deficiencies, and the court declined to attempt to "cobble together an understandable version" of the union's motion. (Doc. #83). At that time, Corner had also filed a motion for summary judgment supported by defendants' joint exhibits. (Doc. #50). After the court denied the union's motion for summary judgment, Corner resubmitted defendants' joint exhibits to correct any CM/ECF filing

1 deficiencies. (Doc. #84).

2 The court held a hearing on Corner's motion for summary judgment on December 14, 2011.
3 (Doc. #85). At the hearing, the court denied Corner's motion, finding that Corner's supporting
4 exhibits were not properly authenticated pursuant to *Orr v. Bank of America*, 285 F.3d 764 (9th Cir.
5 2002). (Docs. #85 and #91). The court stated that defendants could file a motion for reconsideration
6 of the orders denying defendants' motions for summary judgment.

7 This court has "inherent power" to reconsider an order over which it maintains jurisdiction.
8 *See City of Los Angeles, Harbor Div. v. Santa Monica Baykeeper*, 254 F.3d 882, 887 (9th Cir. 2001);
9 *see also Marconnie Wireless Tel. Co. v. United States*, 320 U.S. 1, 47 (1943); FED. R. CIV. P. 60.

10 Good cause appearing,

11 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant International
12 Union of Operating Engineers Local No. 501, AFL-CIO's motion for reconsideration (doc. #86) and
13 defendant Corner Investment Company, LLC's motion for reconsideration (doc. #87) be, and the
14 same hereby are, GRANTED.

15 IT IS FURTHER ORDERED that the union and Corner shall re-file their motions for
16 summary judgment (docs. #32 and #50) in conformance with standard CM/ECF filing procedures.

17 IT IS FURTHER ORDERED that Corner's motion for leave to supplement joint exhibits in
18 support of summary judgment (doc. #88) be, and the same hereby is, GRANTED. Corner shall
19 supplement the joint exhibits in conformance with standard CM/ECF filing procedures. The joint
20 exhibits must comply fully with the authentication requirements of *Orr v. Bank of America*, 285 F.3d
21 764 (9th Cir. 2002).

22 DATED March 6, 2012.

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25 **UNITED STATES DISTRICT JUDGE**